

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                                  |   |                            |
|----------------------------------|---|----------------------------|
| KIRBI PEMBERTON, et al.,         | ) |                            |
|                                  | ) |                            |
| Plaintiffs,                      | ) |                            |
|                                  | ) |                            |
| vs.                              | ) | Case No. 4:14-CV-01421-AGF |
|                                  | ) |                            |
| REPUBLIC SERVICES, INC., et al., | ) | Lead Case                  |
|                                  | ) |                            |
| Defendants.                      | ) |                            |

**ORDER OF CONSOLIDATION**

This matter is before the Court on the joint motion (Doc. No. 14) for pretrial consolidation pursuant to Federal Rule of Civil Procedure 42(a) and Local Rule 4.03, of the following 24 cases with this case as the Lead Case:

*John Henschke, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01570-ERW  
*Robert D. Nowlin, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01571-CEJ  
*William Wilson, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01572-JCH  
*Patrick S. Mansell, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01573-TCM  
*Chuck Bell, et al. v. Republic Services, Inc.*, No. 4:14-CV-01574-CAS  
*Phil Parrino v. Republic Services, Inc., et al.*, No. 4:14-CV-01575-CAS  
*Robin Woerhide, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01576-CAS  
*JoAnn Hyde, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01577-RWS  
*Juan Calvo, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01578-RLW  
*Tara L. Routt v. Republic Services, Inc., et al.*, No. 4:14-CV-01579-TIA  
*Darlene R. Martin, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01580-TIA  
*Cherylee Jean Johnson, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01581-ERW  
*Thomas Schlag, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01582-RLW  
*Stephen Dill, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01583-CEJ  
*Gregory Wayne Wortham, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01584-CEJ  
*Roger Chik, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01585-CDP  
*Harold Kammerlohr v. Republic Services, Inc., et al.*, No. 4:14-CV-01586-JCH  
*Judith Wright v. Republic Services, Inc., et al.*, No. 4:14-CV-01587-CEJ  
*Rickey Sutterfield, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01588-RWS  
*Michael R. Mason, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01589-ERW  
*Patricia Figura v. Republic Services, Inc., et al.*, No. 4:14-CV-01590-JAR

*Thomas P. Leahy, Jr., et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01591-CDP  
*Mary M. Menke, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01592-RLW  
*Bebe Moss, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01594-CAS

The cases involve the same Defendants, Plaintiffs' counsel, and general allegations as this case. Finding that the cases all present common questions of law and fact, the Court will grant the motion to consolidate for discovery and pretrial matters.

Accordingly,

**IT IS HEREBY ORDERED** that the parties' joint motions to consolidate are **GRANTED**. (Doc. No. 14.) These cases are consolidated before the undersigned for pretrial purposes. Once the cases are ready for trial, they will be returned to the docket of the District and Magistrate Judges in this district to whom they were assigned before entry of this Order. The undersigned will preside over all pretrial motions, including ruling on any dispositive and *Daubert* motions.


**IT IS FURTHER ORDERED** that the Clerk of Court shall transfer all of the cases listed in the Order Granting Consolidation for Pretrial Purposes to the undersigned. At the conclusion of the pretrial phase, the cases assigned to other judges will be transferred back to the original District and Magistrate Judges.

**IT IS FURTHER ORDERED** that all future filings *other than pleadings as defined in Rule 7(a) of the Federal Rules of Civil Procedure*, should be made in this case, Case No. 4:14-CV-01421-AGF, which is designated as the "Lead Case," and should only reference the case number of the Lead Case. Pleadings as defined in Rule 7(a) should be filed only in the individual (original) case file.

**IT IS FURTHER ORDERED** that in the cases listed below, which have been assigned to Magistrate Judges, but for which the parties have not returned signed **Consent To Jurisdiction of Magistrate Judge** forms, the parties shall return completed consent forms on or before **October 28, 2014**. In the event consent is not provided, the case will be randomly reassigned to a District Judge for purposes of trial at the completion of the consolidated pretrial proceedings.

*Patrick S. Mansell, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01573-TCM  
*Tara L. Routt v. Republic Services, Inc., et al.*, No. 4:14-CV-01579-TIA  
*Darlene R. Martin, et al. v. Republic Services, Inc., et al.*, No. 4:14-CV-01580-TIA

**IT IS FUTHER ORDERED** that the Clerk of Court shall file a copy of this Order in each of the above-listed cases.

  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 17<sup>th</sup> day of October, 2014.